

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

ELECTRICAL MEDICAL TRUST and  
PLUMBERS LOCAL UNION NO. 68  
WELFARE FUND,

Plaintiffs,

v.

U.S. ANESTHESIA PARTNERS, INC.,  
U.S. ANESTHESIA PARTNERS  
HOLDINGS, INC., and U.S. ANESTHESIA  
PARTNERS OF TEXAS, P.A.,

Defendants.

Civil Case No. 4:23-cv-04398

**JOINT STATUS REPORT REGARDING  
DISCOVERY**

Hon. Alfred H. Bennett

Pursuant to the agreement in their previous joint status report (ECF No. 151), Plaintiffs Electrical Medical Trust and Plumbers Local Union No. 68 Welfare Fund (“Plaintiffs”) and Defendant U.S. Anesthesia Partners, Inc. (“USAP”) submit this joint status report to update the Court on the progress of discovery negotiations. The parties continue to work productively and have initiated a recurring meet-and-confer schedule.

The parties do not request Court intervention on any issue at this time. Listed below are discovery issues that the parties continue to negotiate and may raise at a future date. The parties propose to file their next joint status report on August 28, 2025.

**A. Third-Party FTC Litigation Materials (In Progress)**

The parties agreed to a process for notifying third parties that their materials from *Federal Trade Commission v. U.S. Anesthesia Partners, Inc.*, No. 4:23-cv-03560 (S.D. Tex.) (the “FTC Litigation”) will be produced in this action. On July 8, Plaintiffs provided notice to each third party that produced Confidential or Highly Confidential documents in the FTC Litigation.

Plaintiffs also provided notice to third parties whose FTC Litigation deposition transcripts were marked Confidential or Highly Confidential. The third parties' deadline to object was July 22. Plaintiffs are resolving the objections of nine third parties, and Plaintiffs will notify the Court if they are unable to resolve any objection.

**B. Deposition Limits (In Progress)**

The parties are negotiating limits to depositions taken in this case. Plaintiffs provided a proposal to USAP on July 16. Plaintiffs propose that if the parties are unable to reach agreement, the parties will raise this issue with the Court by August 28.

**C. USAP's Additional Search Terms and Custodians (In Progress)**

The parties have been discussing additional search terms that may be applied to some of USAP's document custodians since March 25. If the parties cannot agree to search terms and custodians, they will raise this issue with the Court by August 28.

**D. Plaintiffs' Productions (In Progress)**

The parties are discussing the search terms, custodians, and scope of responsiveness and production with respect to Plaintiffs' upcoming document productions. Plaintiffs expect to generate hit count reports for proposed search terms shortly. USAP wrote Plaintiffs a letter on July 22, 2025, requesting written confirmation of Plaintiffs' positions on Plaintiffs' document production. If the parties cannot agree to positions on each RFP, search terms, and custodians, they will raise this issue with the Court by August 28.

Dated: July 24, 2025

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I certify that the foregoing was duly served upon all Counsel of record via the Court's CM/ECF system on July 24, 2025.

By: /s/ Brendan P. Glackin